

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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In re: BAIR HUGGER FORCED AIR  
WARMING DEVICES PRODUCTS  
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/FLN)

This Document Relates To:  
All Actions

**DECLARATION OF BENJAMIN W.  
HULSE IN SUPPORT OF  
DEFENDANTS' RESPONSE TO  
PLAINTIFFS' OBJECTIONS TO  
RULING OF MAGISTRATE JUDGE  
ON PLAINTIFFS' MOTION FOR *IN*  
*CAMERA* REVIEW**

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Benjamin W. Hulse, being first duly sworn, deposes and declares:

I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company ("3M") and Arizant Healthcare Inc. ("Arizant") (collectively "Defendants") in this litigation. I submit this declaration in support of Defendants' Response to Plaintiffs' Objections to Ruling of Magistrate Judge on Plaintiffs' Motion For *In Camera* Review. Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

1. Attached as Exhibit A is a true and correct copy of a sealed Order issued in the matter of *Johnson v. 3M Co.*, Case No. 14-cv-2044-KHV-TJJ (D. Kan. Nov. 12, 2015). This document is filed under seal.

2. Attached as Exhibit B is a true and correct copy of excerpts from a telephonic hearing transcript in the matter of *Walton v. 3M Co.*, No. 4-13-cv-01164 (S.D. Tex. Dec. 22, 2015). This document is filed under seal.

3. Attached as Exhibit C is a true and correct copy of correspondence and discovery served upon Defendants by Plaintiffs in *Walton v. 3M Co.*, Civil Action No. 4:13-cv-01164. This document is filed under seal.

4. Attached as Exhibit D is a true and correct copy of the Declaration of Dale Fresch of Brewer Attorneys & Counselors, submitted in opposition to Plaintiffs' motion, dated July 10, 2017.

5. Attached as Exhibit E is a true and correct copy of an excerpt from Defendants' Supplemental and Amended Answers and Objections to Plaintiffs' Second Set of Interrogatories.

6. I declare under penalty of perjury that the foregoing is true and correct. Executed in Minneapolis, Minnesota, this 16<sup>th</sup> day of August, 2017.

s/ Benjamin W. Hulse  
Benjamin W. Hulse